IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	:	Attorney Docket No. 2009_1195
Wei-Ping CHEN et al.	:	**Confirmation No. 4772**
Serial No. 10/586,204	:	Group Art Unit 1626
Filed September 29, 2006	:	Examiner Joseph R. Kosack
PROCESS FOR THE PRODUCTION OF ASYMMETRIC TRANSFORMATION CATALYSTS	:	**Mail Stop: AF**

RESPONSE TO ADVISORY ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Advisory Action mailed April 15, 2010, the time for responding to the final rejection of January 4, 2010 being extended for one month in accordance with a Petition for Extension of Time submitted herewith.

As will be apparent from the detailed comments set forth below, the references relied upon by the Examiner in rejecting the claims, even if taken in combination, do not include all of the features of the presently claimed invention, and therefore, even if the references were combined in the manner suggested by the Examiner, the result would still not suggest the present invention. Applicants also note that the Examiner still appears not to have appreciated the surprising feature of the present invention, namely, that P-chiral phosphine groups are formed with high stereoselectivity, i.e. one of more than one possible diastereomers is primarily obtained from the claimed process, which was not at all foreseeable from the teachings of the references.

In the Advisory Action, the Examiner argues that he must maintain the rejections as "Berlin et al. do not teach away from the Grignard reaction". This is understood to mean that the Examiner maintains his arguments presented in the Office Actions dated May 29, 2009 and January 4, 2010, explaining why he considers the instant invention is obvious in view of Hayashi et al., Nettekoven et al. and Berlin et al. The argumentation of the Examiner is as follows: